

FILED



2:28 pm, 2/25/25

Margaret Botkins
Clerk of Court

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING

STEPHANIE WADSWORTH,
individually and as parent and legal
guardian of W.W., K.W., G.W., and L.W.,
minor children, and MATTHEW
WADSWORTH,

Plaintiffs,

vs.

WALMART INC. and JETSON
ELECTRIC BIKES, LLC,

Defendants.

Case No. 2:23-CV-118-KHR

**ORDER SETTING TIME FOR RESPONSE ON DEFENDANTS' MOTION TO
STRIKE PLAINTIFFS' UNDISCLOSED EXHIBITS AND DENYING
DEFENDANTS' MOTION TO EXCLUDE EFFORTS TO AMEND
COMPLAINT AND ADD LOSS OF CONSORTIUM**

On February 25, 2025, Defendants filed two motions. The first motion seeks to strike various exhibits that allegedly were not disclosed during the course of discovery. [ECF No. 191]. The second motion seeks to prevent Plaintiffs from amending their Complaint to include loss of consortium claims. [ECF No. 193].

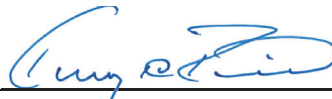
For the first motion [ECF No. 191], the Court hereby orders Plaintiffs to respond on or before **February 27, 2025, at 12:00 p.m.**, Mountain Standard Time.

The Court denies Defendants' second motion [ECF No. 193] because it is premature and not ripe. *See Elevate Fed. Credit Union v. Elevations Credit Union*, No. 1:20-CV-

00028-DAK-JCB, 2021 WL 4034166, at *2 (D. Utah Sept. 3, 2021) (finding a motion to strike documents was not ripe because the documents were not yet proffered in a motion, hearing, or at trial). Plaintiffs have not moved to amend their Complaint. Therefore, Defendants request for a court order to prevent something they speculate Plaintiffs may do in the future is not appropriate for consideration.

However, the Court does not look favorably to motion practice this close to trial, to include any motion to amend the pleadings. The Initial Pretrial Order and Amended Scheduling Order gave specific deadlines for a reason. [ECF Nos. 49 & 78].

Dated this 25th day of February, 2025.



Kelly H. Rankin
United States District Judge